

AMENDED IN SENATE MARCH 28, 2017

AMENDED IN SENATE MARCH 15, 2017

AMENDED IN SENATE FEBRUARY 23, 2017

SENATE BILL

No. 5

Introduced by Senator De León
(Coauthors: Senators Atkins, Dodd, Hueso, and Skinner)

December 5, 2016

An act to add Division 45 (commencing with Section 80000) to the Public Resources Code, relating to a drought, water, parks, climate, coastal protection, and outdoor access for all program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 5, as amended, De León. California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.

Under existing law, programs have been established pursuant to bond acts for, among other things, the development and enhancement of state and local parks and recreational facilities.

This bill would enact the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$3,000,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program.

The bill would provide for the submission of these provisions to the voters at the June 5, 2018, statewide primary direct election.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Division 45 (commencing with Section 80000) is added to the Public Resources Code, to read:

DIVISION 45. CALIFORNIA DROUGHT, WATER, PARKS,
CLIMATE, COASTAL PROTECTION, AND OUTDOOR
ACCESS FOR ALL ACT OF 2018

CHAPTER 1. GENERAL PROVISIONS

80000. This division shall be known, and may be cited, as the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.

80001. (a) The people of California find and declare all of the following:

(1) From California's beautiful rivers, streams, coastal shorelines, and other waterways, to our federal, state, local, and regional parks and outdoor settings, to our vast network of trails connecting people with natural landscapes, Californians value the rich diversity of outdoor experiences afforded to this state and its citizens.

(2) Demand for local parks has exceeded available funding by a factor of 8 to 1, with particularly high demand in urban, disadvantaged communities.

(3) Many Californians across the state lack access to safe parks, trails, and recreation areas, which limits their ability to experience the outdoors, improve their physical and emotional health, exercise, and connect with their communities.

(4) Investments to create and improve parks and recreation areas, and to create trail networks that provide access from neighborhoods to parks and recreational opportunities, will help

1 ensure all Californians have access to safe places to exercise and
2 enjoy recreational activities.

3 (5) The California Center for Public Health Advocacy estimates
4 that inactivity and obesity cost California over forty billion dollars
5 (\$40,000,000,000) annually, through increased health care costs
6 and lost productivity due to obesity-related illnesses, and that even
7 modest increases in physical activity would result in significant
8 savings. Investments in infrastructure improvements such as biking
9 and walking trails and pathways, whether in urban or natural areas,
10 are cost-effective ways to promote physical activity.

11 (6) Continued investments in the state's parks, trails, and natural
12 resources, and greening urban areas will help mitigate the effects
13 of climate change, making cities more livable, and will protect
14 California's natural resources for future generations.

15 (7) California's outdoor recreation economy represents an
16 eighty-seven-billion-dollar (\$87,000,000,000) industry, providing
17 over 700,000 jobs and billions of dollars in local and state revenues.

18 (8) California's state, local, and regional park system
19 infrastructure and national park system infrastructure are aging,
20 and a significant infusion of capital is required to protect this
21 investment.

22 (9) There has been a historic underinvestment in parks, trails,
23 and outdoor infrastructure in disadvantaged areas and many
24 communities throughout California.

25 (10) Tourism is a growing industry in California and remains
26 an economic driver for the more rural parts of the state.

27 (b) It is the intent of the people of California that all of the
28 following shall occur in the implementation of this division:

29 (1) The investment of public funds pursuant to this division will
30 result in public benefits that address the most critical statewide
31 needs and priorities for public funding.

32 (2) In the appropriation and expenditure of funding authorized
33 by this division, priority will be given to projects that leverage
34 private, federal, or local funding or produce the greatest public
35 benefit.

36 (3) To the extent practicable, a project that receives moneys
37 pursuant to this division will include signage informing the public
38 that the project received funds from the California Drought, Water,
39 Parks, Climate, Coastal Protection, and Outdoor Access For All
40 Act of 2018.

(4) To the extent practicable, when developing program guidelines for urban recreation projects and habitat protection or restoration projects, administering entities are encouraged to give favorable consideration to projects that provide urban recreation and protect or restore natural resources. Additionally, the entities may pool funding for these projects.

(5) To the extent practicable, a project that receives moneys pursuant to this division will provide workforce education and training, contractor, and job opportunities for disadvantaged communities.

80002. As used in this division, the following terms have the following meanings:

(a) “Committee” means the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Finance Committee created by Section 80162.

(b) “Community access” means engagement programs, technical assistance, or facilities that maximize safe and equitable physical admittance, especially for low-income communities, to natural or cultural resources, community education, or recreational amenities.

(c) “Conservation actions on private lands” means projects with willing landowners that involve the adaptive flexible management or protection of natural resources in response to changing conditions and threats to habitat and wildlife. The actions may include the acquisition of conservation interests or fee interests in the land. These projects result in habitat conditions on private lands that, when managed dynamically over time, contribute to the long-term health and resiliency of vital ecosystems and enhance wildlife populations.

(d) “Department” means the Department of Parks and Recreation.

(e) “Disadvantaged community” has the same meaning as set forth in subdivision (g) of Section 75005.

(f) “Fund” means the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Fund, created by Section 80032.

(g) “Heavily urbanized city” means a city with a population of 300,000 or more.

(h) “Heavily urbanized county” means a county with a population of 3,000,000 or more.

1 (i) “Interpretation” includes, but is not limited to, a
2 visitor-serving amenity that enhances the ability to understand and
3 appreciate the significance and value of natural, historical, and
4 cultural resources and that may utilize educational materials in
5 multiple languages, digital information, and the expertise of a
6 naturalist or other skilled specialist.

7 (j) “Nonprofit organization” means a nonprofit corporation
8 qualified to do business in California and qualified under Section
9 501(c)(3) of the Internal Revenue Code.

10 (k) “Preservation” means rehabilitation, stabilization, restoration,
11 conservation, development, and reconstruction, or any combination
12 of those activities.

13 (l) “Protection” means those actions necessary to prevent harm
14 or damage to persons, property, or natural, cultural, and historic
15 resources, actions to improve access to public open-space areas,
16 or actions to allow the continued use and enjoyment of property
17 or natural, cultural, and historic resources, and includes site
18 monitoring, acquisition, development, restoration, preservation,
19 and interpretation.

20 (m) “Restoration” means the improvement of physical structures
21 or facilities and, in the case of natural systems and landscape
22 features, includes, but is not limited to, projects for the control of
23 erosion, the control and elimination of exotic species, the planting
24 of native species, the removal of waste and debris, prescribed
25 burning, fuel hazard reduction, fencing out threats to existing or
26 restored natural resources, road elimination, and other plant and
27 wildlife habitat improvement to increase the natural system value
28 of the property. Restoration projects shall include the planning,
29 monitoring, and reporting necessary to ensure successful
30 implementation of the project objectives.

31 (n) “Severely disadvantaged community” means a community
32 with a median household income less than 60 percent of the
33 statewide average.

34 80004. An amount that equals not more than 5 percent of the
35 funds allocated for a grant program pursuant to this division may
36 be used to pay the administrative costs of that program.

37 80006. (a) Except as provided in subdivision (b), up to 10
38 percent of funds allocated for each program funded by this division
39 may be expended for planning and monitoring necessary for the
40 successful design, selection, and implementation of the projects

1 authorized under that program. This section shall not otherwise
2 restrict funds ordinarily used by an agency for “preliminary plans,”
3 “working drawings,” and “construction” as defined in the annual
4 Budget Act for a capital outlay project or grant project. Planning
5 may include feasibility studies for environmental site cleanup that
6 would further the purpose of a project that is eligible for funding
7 under this division.

8 (b) Funds used for planning projects that benefit disadvantaged
9 communities may exceed 10 percent of the funds allocated if the
10 state agency administering the moneys determines that there is a
11 need for the additional funding.

12 80008. (a) (1) Except as provided in paragraph (2), at least
13 20 percent of the funds available pursuant to each chapter of this
14 division shall be allocated for projects serving severely
15 disadvantaged communities.

16 (2) At least 15 percent of the funds available pursuant to Chapter
17 9 (commencing with Section 80120) and Chapter 10 (commencing
18 with Section 80130) shall be allocated for projects serving severely
19 disadvantaged communities.

20 (b) (1) Except as provided in subdivision (c), up to 10 percent
21 of the funds available pursuant to each chapter of this division may
22 be allocated for technical assistance to disadvantaged communities.
23 The agency administering the moneys shall operate a
24 multidisciplinary technical assistance program for disadvantaged
25 communities.

26 (2) Funds used for providing technical assistance to
27 disadvantaged communities may exceed 10 percent of the funds
28 allocated if the state agency administering the moneys determines
29 that there is a need for the additional funding.

30 (c) (1) Up to 5 percent of funds available pursuant to each
31 chapter of this division shall be allocated for community access
32 projects that include, but are not limited to, the following:

- 33 (A) Transportation.
- 34 (B) Physical activity programming.
- 35 (C) Resource interpretation.
- 36 (D) Multilingual translation.
- 37 (E) Natural science.
- 38 (F) Workforce development and career pathways.
- 39 (G) Education.

1 (H) Communication related to water, parks, climate, coastal
2 protection, and other outdoor pursuits.

3 (2) This subdivision does not apply to Chapter 12 (commencing
4 with Section 80150).

5 80010. Before disbursing grants pursuant to this division, each
6 state agency that receives funding to administer a competitive grant
7 program under this division shall do the following:

8 (a) (1) Develop and adopt project solicitation and evaluation
9 guidelines. The guidelines shall include monitoring and reporting
10 requirements and may include a limitation on the dollar amount
11 of grants to be awarded. If the state agency has previously
12 developed and adopted project solicitation and evaluation
13 guidelines that comply with the requirements of this subdivision,
14 it may use those guidelines.

15 (2) Guidelines adopted pursuant to this subdivision shall
16 encourage, where feasible, inclusion of the following project
17 components:

18 (A) Efficient use and conservation of water supplies.

19 (B) Use of recycled water.

20 (C) The capture of stormwater to reduce stormwater runoff,
21 reduce water pollution, or recharge groundwater supplies, or a
22 combination thereof.

23 (D) Provision of safe and reliable drinking water supplies to
24 park and open-space visitors.

25 (b) Conduct three public meetings to consider public comments
26 before finalizing the guidelines. The state agency shall publish the
27 draft solicitation and evaluation guidelines on its Internet Web site
28 at least 30 days before the public meetings. One meeting shall be
29 conducted at a location in northern California, one meeting shall
30 be conducted at a location in the central valley of California, and
31 one meeting shall be conducted at a location in southern California.

32 (c) Submit the guidelines to the Secretary of the Natural
33 Resources Agency. The Secretary of the Natural Resources Agency
34 shall verify that the guidelines are consistent with applicable
35 statutes and for all the purposes enumerated in this division. The
36 Secretary of the Natural Resources Agency shall post an electronic
37 form of the guidelines submitted by state agencies and the
38 subsequent verifications on the Natural Resources Agency's
39 Internet Web site.

1 (d) Upon adoption, transmit copies of the guidelines to the fiscal
2 committees and the appropriate policy committees of the
3 Legislature.

4 80012. (a) The Department of Finance shall provide for an
5 independent audit of expenditures pursuant to this division. The
6 Secretary of the Natural Resources Agency shall publish a list of
7 all program and project expenditures pursuant to this division not
8 less than annually, in written form, and shall post an electronic
9 form of the list on the agency's Internet Web site in a downloadable
10 spreadsheet format. The spreadsheet shall include information
11 about the location and footprint of each funded project, the
12 project's objectives, the status of the project, anticipated outcomes,
13 any matching moneys provided for the project by the grant
14 recipient, and the applicable chapter of this division pursuant to
15 which the grant recipient received moneys.

16 (b) If an audit, required by statute, of any entity that receives
17 funding authorized by this division is conducted pursuant to state
18 law and reveals any impropriety, the California State Auditor or
19 the Controller may conduct a full audit of any or all of the activities
20 of that entity.

21 (c) The state agency issuing any grant with funding authorized
22 by this division shall require adequate reporting of the expenditures
23 of the funding from the grant.

24 80014. If any moneys allocated pursuant to this division are
25 not encumbered or expended by the recipient entity within the time
26 period specified by the administering agency, the unexpended
27 moneys shall revert to the administering agency for allocation
28 consistent with the applicable chapter.

29 80016. To the extent feasible, a project whose application
30 includes the use of services of the California Conservation Corps,
31 certified community conservation corps, as defined in Section
32 14507.5, or other nonprofit entities that provide job training and
33 education opportunities for veterans, foster care recipients,
34 farmworkers, or local youth in conservation or restoration projects
35 shall be given preference for receipt of a grant under this division.

36 80018. To the extent feasible, a project that includes water
37 efficiencies, stormwater capture, or carbon sequestration features
38 in the project design may be given priority for grant funding under
39 this division.

1 80020. Moneys allocated pursuant to this division shall not be
2 used to fulfill any mitigation requirements imposed by law.

3 80022. (a) To the extent feasible in implementing this division
4 and except as provided in subdivision (b), a state agency receiving
5 funding under this division shall seek to achieve wildlife
6 conservation objectives through projects on public lands or
7 voluntary projects on private lands. Private lands that provide
8 permanent protections to ensure the durability of investments shall
9 be given priority. Funds may be used for payments for the creation
10 of measurable habitat improvements or other improvements to the
11 condition of endangered or threatened species, including through
12 the development and implementation of habitat credit exchanges.

13 (b) This section shall not apply to Chapter 2 (commencing with
14 Section 80050), Chapter 3 (commencing with Section 80060),
15 Chapter 5 (commencing with Section 80080), Chapter 6
16 (commencing with Section 80090), Chapter 11 (commencing with
17 Section 80140), Chapter 11.5 (commencing with Section 80145),
18 or Chapter 12 (commencing with Section 80150).

19 80024. A state agency that receives funding to administer a
20 grant program under this division shall report to the Legislature
21 by January 1, 2027, on its expenditures pursuant to this division
22 and the public benefits received from those expenditures.

23 80026. A state conservancy receiving funding pursuant to this
24 division shall endeavor to allocate funds that are complementary,
25 but not duplicative, of authorized expenditures made pursuant to
26 Chapter 188 of the Statutes of 2014.

27 80028. Funding pursuant to this division may be used for grants
28 and loans to nonprofit organizations to repay financing described
29 in Section 22064 of the Financial Code for projects that are
30 consistent with the purposes of this division.

31 80030. For grants awarded for projects that serve a
32 disadvantaged community, the administering entity shall provide
33 advanced payments in the amount of 25 percent of the grant award
34 to the recipient to initiate the project in a timely manner. The
35 administering entity may adopt additional requirements for the
36 recipient of the grant regarding the use of the advanced payments
37 to ensure that the moneys are used properly.

38 80032. (a) The proceeds of bonds issued and sold pursuant to
39 this division shall be deposited in the California Drought, Water,

1 Parks, Climate, Coastal Protection, and Outdoor Access For All
2 Fund, which is hereby created in the State Treasury.

3 (b) Proceeds of bonds issued and sold pursuant to this division
4 shall be allocated according to the following schedule:

5 (1) One billion five hundred million dollars (\$1,500,000,000)
6 for purposes of Chapter 2 (commencing with Section 80050),
7 Chapter 3 (commencing with Section 80060), Chapter 4
8 (commencing with Section 80070), Chapter 5 (commencing with
9 Section 80080), Chapter 6 (commencing with Section 80090),
10 Chapter 7 (commencing with Section 80100), Chapter 8
11 (commencing with Section 80110), Chapter 9 (commencing with
12 Section 80120), and Chapter 10 (commencing with Section 80130).

13 (2) One billion dollars (\$1,000,000,000) for Chapter 11
14 (commencing with Section 80140).

15 (3) Five hundred million dollars (\$500,000,000) for Chapter
16 11.5 (commencing with Section 80145).

17 80034. The Legislature may enact legislation necessary to
18 implement programs funded by this division.

19
20 CHAPTER 2. INVESTMENTS IN ENVIRONMENTAL AND SOCIAL
21 EQUITY, ENHANCING CALIFORNIA'S DISADVANTAGED
22 COMMUNITIES
23

24 80050. (a) The sum of six hundred million dollars
25 (\$600,000,000) shall be available to the department, upon
26 appropriation by the Legislature, for the creation and expansion
27 of safe neighborhood parks in park-poor neighborhoods in
28 accordance with the Statewide Park Development and Community
29 Revitalization Act of 2008's competitive grant program described
30 in Chapter 3.3 (commencing with Section 5640) of Division 5.

31 (b) When developing or revising criteria or guidelines for the
32 grant program, the department may give additional consideration
33 to projects that incorporate stormwater capture and storage or
34 otherwise reduce stormwater pollution. The department shall
35 perform its due diligence by conducting a rigorous prequalification
36 process to determine the fiscal and operational capacity and ability
37 of a potential grant recipient to do both of the following:

38 (1) Manage a project to maximize public benefit in perpetuity.

39 (2) Implement the project in a timely manner.

1 80051. Of the amount available pursuant to subdivision (a) of
2 Section 80050, not less than 20 percent shall be available for the
3 rehabilitation, repurposing, or substantial improvement of existing
4 park infrastructure in communities of the state that will lead to
5 increased use and enhanced user experiences.

6 80052. Of the amount available pursuant to subdivision (a) of
7 Section 80050, to correct historic underinvestments in the central
8 valley, Inland Empire, gateway, and desert communities, the sum
9 of forty-eight million dollars (\$48,000,000) shall be available for
10 local park creation and improvement grants to the communities
11 identified by the department as park deficient within those areas
12 for active recreational projects, including aquatic centers, to
13 encourage youth health, fitness, and recreational pursuits. Projects
14 that include the partial or full donation of land, materials, or
15 volunteer services and that demonstrate collaborations of multiple
16 entities and the leveraging of scarce resources may be given
17 consideration. Entities that receive a grant under this section may
18 also be eligible to receive other grants under subdivision (a) of
19 Section 80050.

20
21 CHAPTER 3. INVESTMENTS IN PROTECTING, ENHANCING, AND
22 ACCESSING CALIFORNIA'S LOCAL AND REGIONAL OUTDOOR SPACES
23

24 80060. For purposes of this chapter, "district" means any
25 regional park district, regional park and open-space district, or
26 regional open-space district formed pursuant to Article 3
27 (commencing with Section 5500) of Chapter 3 of Division 5, any
28 recreation and park district formed pursuant to Chapter 4
29 (commencing with Section 5780) of Division 5, or any authority
30 formed pursuant to Division 26 (commencing with Section 35100).
31 With respect to any community or unincorporated region that is
32 not included within a district, and in which no city or county
33 provides parks or recreational areas or facilities, "district" also
34 means any other entity, including, but not limited to, a district
35 operating multiple-use parklands pursuant to Division 20
36 (commencing with Section 71000) of the Water Code, that is
37 authorized by statute to operate and manage parks or recreational
38 areas or facilities, employs a full-time park and recreation director,
39 offers year-round park and recreation services on land and facilities

1 owned by the entity, and allocates a substantial portion of its annual
2 operating budget to parks or recreation areas or facilities.

3 80061. (a) The sum of fifteen million dollars (\$15,000,000)
4 shall be available to the department, upon appropriation by the
5 Legislature, for local park rehabilitation and improvement grants
6 to local governments on a per capita basis. Grant recipients shall
7 be encouraged to utilize awards to rehabilitate existing
8 infrastructure and to address deficiencies in neighborhoods lacking
9 access to the outdoors.

10 (b) The sum of fifteen million dollars (\$15,000,000) shall be
11 available to the department, upon appropriation by the Legislature,
12 for grants to cities and districts in urbanized counties providing
13 park and recreation services within jurisdictions of 200,000 or less
14 in population. For purposes of this subdivision, “urbanized county”
15 means a county with a population of 500,000 or more. An entity
16 eligible to receive funds under this subdivision shall also be eligible
17 to receive funds available under subdivision (a).

18 (c) Unless the entity has been identified as a disadvantaged
19 community, an entity that receives an award pursuant to this section
20 shall be required to provide a match of 20 percent as a local share.

21 80062. (a) (1) The department shall allocate 60 percent of the
22 funds available pursuant to each of subdivisions (a) and (b) of
23 Section 80061 to cities and districts, other than a regional park
24 district, regional park and open-space district, open-space authority,
25 or regional open-space district. Each city’s and district’s allocation
26 shall be in the same ratio as the city’s or district’s population is to
27 the combined total of the state’s population that is included in
28 incorporated and unincorporated areas within the county, except
29 that each city or district shall be entitled to a minimum allocation
30 of ____ dollars (\$____). If the boundary of a city overlaps the
31 boundary of a district, the population in the overlapping area shall
32 be attributed to each jurisdiction in proportion to the extent to
33 which each operates and manages parks and recreational areas and
34 facilities for that population. If the boundary of a city overlaps the
35 boundary of a district, and in the area of overlap the city does not
36 operate and manage parks and recreational areas and facilities, all
37 grant funds for that area shall be allocated to the district.

38 (2) On or before April 1, 2020, a city and a district that are
39 subject to paragraph (1), and whose boundaries overlap, shall
40 collaboratively develop and submit to the department a specific

1 plan for allocating the grant funds in accordance with the formula
2 specified in paragraph (1). If, by that date, the plan has not been
3 developed and submitted to the department, the director shall
4 determine the allocation of the grant funds between the affected
5 jurisdictions.

6 (b) (1) The department shall allocate 40 percent of the funds
7 available pursuant to each of subdivisions (a) and (b) of Section
8 80061 to counties and regional park districts, regional park and
9 open-space districts, open-space authorities formed pursuant to
10 Division 26 (commencing with Section 35100), and regional
11 open-space districts formed pursuant to Article 3 (commencing
12 with Section 5500) of Chapter 3 of Division 5.

13 (2) Each county's allocation under paragraph (1) shall be in the
14 same ratio that the county's population is to the total state
15 population, except that each county shall be entitled to a minimum
16 allocation of ____ dollars (\$____).

17 (3) In any county that embraces all or part of the territory of a
18 regional park district, regional park and open-space district,
19 open-space authority, or regional open-space district, and whose
20 board of directors is not the county board of supervisors, the
21 amount allocated to the county shall be apportioned between that
22 district and the county in proportion to the population of the county
23 that is included within the territory of the district and the population
24 of the county that is outside the territory of the district.

25 (c) For the purpose of making the calculations required by this
26 section, population shall be determined by the department, in
27 cooperation with the Department of Finance, on the basis of the
28 most recent verifiable census data and other verifiable population
29 data that the department may require to be furnished by the
30 applicant city, county, or district.

31 (d) The Legislature intends all recipients of funds pursuant to
32 subdivision (a) or (b) of Section 80061 to use those funds to
33 supplement local revenues in existence on the effective date of the
34 act adding this division. To receive an allocation pursuant to
35 subdivision (a) or (b) of Section 80061, the recipient shall not
36 reduce the amount of funding otherwise available to be spent on
37 parks or other projects eligible for funds under this division in its
38 jurisdiction. A one-time allocation of other funding that has been
39 expended for parks or other projects, but which is not available on
40 an ongoing basis, shall not be considered when calculating a

1 recipient's annual expenditures. For purposes of this subdivision,
2 the Controller may request fiscal data from recipients for the
3 preceding three fiscal years. Each recipient shall furnish the data
4 to the Controller no later than 120 days after receiving the request
5 from the Controller.

6 80063. (a) The director of the department shall prepare and
7 adopt criteria and procedures for evaluating applications for grants
8 allocated pursuant to subdivision (a) or (b) of Section 80061. The
9 application shall be accompanied by certification that the project
10 is consistent with the park and recreation element of the applicable
11 city or county general plan or the district park recreation plan, as
12 the case may be.

13 (b) To utilize available grant funds as effectively as possible,
14 overlapping and adjoining jurisdictions and applicants with similar
15 objectives are encouraged to combine projects and submit a joint
16 application. A recipient may allocate all or a portion of its per
17 capita share for a regional or state project.

18 80064. (a) The director of the department shall annually
19 forward a statement of the total amount to be appropriated each
20 fiscal year for projects approved for grants pursuant to this chapter
21 to the Director of Finance for inclusion in the annual Budget Act.
22 A list of eligible jurisdictions and the amount of grant funds to be
23 allocated to each jurisdiction shall also be made available by the
24 department.

25 (b) Funds appropriated pursuant to this chapter shall be
26 encumbered by the recipient within three years from the date the
27 appropriation is effective. Regardless of the date of encumbrance
28 of the granted funds, the recipient is expected to complete all
29 funded projects within eight years of the effective date of the
30 appropriation.

31
32 CHAPTER 4. RESTORING CALIFORNIA'S NATURAL, HISTORIC,
33 AND CULTURAL LEGACY
34

35 80070. The sum of one hundred million dollars (\$100,000,000)
36 shall be available to the department, upon appropriation by the
37 Legislature, for restoration and preservation of existing state park
38 facilities and units, to promote greater access to those units through
39 the provision of low-cost overnight accommodations in ways that
40 enhance access and recreational opportunities for disadvantaged

1 communities, to preserve and increase public access to those
2 facilities and units, and to protect the natural, cultural, and historic
3 resources of those facilities and units. First priority shall be given
4 for capital improvements that address the department's backlog
5 of deferred maintenance.

6 80071. The department, in expending the funding available
7 under this chapter, shall endeavor, where practical, to partner with
8 cities, counties, nonprofit organizations, and nongovernmental
9 organizations to maximize leveraging opportunities to enhance
10 tourism, visitation, and visitor experiences.

11 80072. Of the amount made available pursuant to Section
12 80070, _____ dollars (\$_____) shall be available for enterprise
13 projects that facilitate new or enhanced park use and user
14 experiences and increase revenue generation to support operations
15 of the department.

16 80073. (a) Of the amount made available pursuant to Section
17 80070, _____ dollars (\$_____) shall be available for grants to local
18 agencies that operate a unit of the state park system to address
19 urgent need for the restoration of aging infrastructure.

20 (b) For the purpose of awarding a grant under this section, a
21 local cost share of not less than 25 percent of the total costs of the
22 project shall be required. The cost-sharing requirement may be
23 waived or reduced for a disadvantaged community.

24
25 CHAPTER 5. TRAILS AND GREENWAY INVESTMENT
26

27 80080. (a) The sum of twenty-five million dollars
28 (\$25,000,000) shall be available to the Natural Resources Agency,
29 working in cooperation with the department, upon appropriation
30 by the Legislature, for competitive grants to local agencies, state
31 conservancies, federally recognized Native American tribes,
32 nonfederally recognized California Native American tribes listed
33 on the California Tribal Consultation List maintained by the Native
34 American Heritage Commission, and nonprofit organizations to
35 provide nonmotorized infrastructure development and
36 enhancements that promote new or alternate access to parks,
37 waterways, outdoor recreational pursuits, and forested or other
38 natural environments to encourage health-related commuting and
39 opportunities for Californians to reconnect with nature.

(b) Of the amount made available pursuant to this section, up to 25 percent may be made available to communities for innovative transportation programs that provide new and expanded outdoor experiences to disadvantaged youth.

(c) Alignment, development, and improvement of nonmotorized infrastructure and trails that lead to safer interconnectivity among parks, waterways, and natural areas may be encouraged.

(d) The Natural Resources Agency is encouraged, when designing guidelines for grants awarded under this chapter, to utilize existing program guidelines, including, if applicable, guidelines that have been established for the California Recreational Trails Act (Article 6 (commencing with Section 5070) of Chapter 1 of Division 5) and, to the extent possible, to design guidelines that are consistent with the California Recreational Trails Plan, as described in Article 6 (commencing with Section 5070) of Chapter 1 of Division 5.

80081. Unless the entity has been identified as a disadvantaged community, an entity that receives an award under this chapter shall be required to provide a match of 20 percent.

CHAPTER 6. RURAL RECREATION, TOURISM, AND ECONOMIC ENRICHMENT INVESTMENT

80090. (a) The sum of twenty million dollars (\$20,000,000) shall be available to the department, upon appropriation by the Legislature, to administer a competitive grant program for cities, counties, and districts in nonurbanized areas, that are eligible for a grant under the Roberti-Z'berg-Harris Urban Open-Space and Recreation Program Act (Chapter 3.2 (commencing with Section 5620) of Division 5). Notwithstanding subdivisions (c) and (e) of Section 5621 and for the purposes of this section, the definition of "nonurbanized area" shall be updated by the department to reflect current population levels. A nonurbanized area shall include counties with populations of less than 500,000 people and low population densities per square mile, as determined by the department. In awarding the grants, the department may consider the following factors:

(1) Whether the project would provide new recreational opportunities in rural communities that have demonstrated

1 deficiencies and lack of outdoor infrastructure in support of
2 economic and health-related goals.

3 (2) Whether the project proposes to acquire and develop lands
4 to enhance residential recreation while promoting the quality of
5 tourism experiences and the economic vitality of the community.
6 These enhancements may include accessibility for individuals with
7 disabilities, trails, bikeways, regional or destination-oriented
8 recreational amenities, and visitor centers.

9 (3) Whether the project includes collaboration between public
10 and nonprofit organizations, including, but not limited to, nonprofit
11 land trusts, to facilitate public access to privately owned lands for
12 regional trail development for wildlife viewing, recreation, or
13 outdoor experiences for youth.

14 (b) Unless the entity has been identified as a disadvantaged
15 community, an entity that receives an award under this chapter
16 shall be required to provide a match of 20 percent.

17
18 CHAPTER 7. CALIFORNIA RIVER RECREATION, CREEK, AND
19 WATERWAY IMPROVEMENTS PROGRAM
20

21 80100. (a) The sum of one hundred twenty-five million dollars
22 (\$125,000,000) shall be available to the Natural Resources Agency,
23 upon appropriation by the Legislature, for grants pursuant to the
24 California River Parkways Act of 2004 (Chapter 3.8 (commencing
25 with Section 5750) of Division 5) and the Urban Streams
26 Restoration Program pursuant to Section 7048 of the Water Code.
27 Eligible projects shall include, but are not limited to, projects that
28 protect and enhance urban creeks.

29 (1) Of the amount made available pursuant to this subdivision,
30 not less than seventy-five million dollars (\$75,000,000) shall be
31 available to the Santa Monica Mountains Conservancy.

32 (2) Of the amount made available pursuant to this subdivision,
33 not less than 5 percent shall be available to the Santa Ana River
34 Conservancy Program pursuant to Chapter 4.6 (commencing with
35 Section 31170) of Division 21.

36 (3) Of the amount made available pursuant to this subdivision,
37 _____ dollars (\$_____) shall be available to the Lower American
38 River Conservancy Program pursuant to Chapter 10.5 (commencing
39 with Section 5845) of Division 5.

(4) Of the amount made available pursuant to this subdivision, _____ dollars (\$_____) shall be available to the Guadalupe River upon the enactment of subsequent legislation that demonstrates a comprehensive local and regional approach to restoration, public recreation, and management of the river corridor.

(5) Of the amount made available pursuant to this subdivision, _____ dollars (\$_____) shall be available to the Russian River upon the enactment of subsequent legislation that provides a comprehensive regional use management plan to reduce conflict and promote cooperative public recreation, commercial activity, and habitat protection benefits.

(b) Unless the entity has been identified as a disadvantaged community, an entity that receives an award under this chapter shall be required to provide a match of 20 percent.

(c) To maximize cooperation and leverage resources, the Natural Resources Agency may give priority to projects that include partnerships among federal, state, and local agencies and to projects proposed by nonprofit organizations, including, but not limited to, nonprofit land trusts.

80101. To the maximum extent feasible, the Natural Resources Agency is encouraged, when developing guidelines for grants awarded under this chapter, to utilize existing programs where communities enter into partnerships with state agencies for multibenefit projects to enhance and restore waterways, including, but not limited to, the Riverine Stewardship Technical Assistance program.

CHAPTER 8. STATE CONSERVANCY AND AUTHORITY FUNDING

80110. The sum of one hundred twenty million dollars (\$120,000,000) shall be available, upon appropriation by the Legislature, as described in subdivisions (a) and (b).

(a) The sum of forty million dollars (\$40,000,000) shall be available to the Salton Sea Authority for capital outlay projects that provide air quality and habitat benefits and that implement the Natural Resources Agency's Salton Sea Management Program. Of this amount, not less than ten million dollars (\$10,000,000) shall be available for purposes consistent with the New River Water Quality, Public Health, and River Parkway Development Program, as described in Section 71103.6.

(b) Eighty million dollars (\$80,000,000) shall be available to the following conservancies for their specified purposes in accordance with the following schedule:

- (1) Baldwin Hills Conservancy, ____ dollars (\$____).
- (2) California Tahoe Conservancy, ____ dollars (\$____).
- (3) Coachella Valley Mountains Conservancy, ____ dollars (\$____).
- (4) Sacramento-San Joaquin Delta Conservancy, ____ dollars (\$____).
- (5) San Diego River Conservancy, ____ dollars (\$____).
- (6) San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, ____ dollars (\$____).
- (7) San Joaquin River Conservancy, ____ dollars (\$____).
- (8) Santa Monica Mountains Conservancy, ____ dollars (\$____).
- (9) Sierra Nevada Conservancy, ____ dollars (\$____).

80111. The Legislature shall strive to consider population size, land mass, and natural resource significance as factors when determining the amount of funds to be made available to an entity listed in subdivision (b) of Section 80110.

80112. A receiving entity listed in subdivision (b) of Section 80110 shall develop and adopt a strategic master plan that identifies priorities and specific criteria for selecting projects for funding. The strategic plan shall include strategies for providing public access to conserved lands wherever feasible and be consistent with project goals and objectives.

80113. Entities, in expending the funding available under this chapter, shall endeavor, where practical, to partner with cities, counties, nonprofit organizations, and nongovernmental organizations to acquire open space and create urban greenway corridors.

80114. ____ dollars (\$____) shall be available to the Wildlife Conservation Board.

CHAPTER 9. OCEAN, BAY, AND COASTAL PROTECTION

80120. The sum of eighty million dollars (\$80,000,000) shall be available, upon appropriation by the Legislature, to fund projects that enhance and protect coastal and ocean resources.

(a) The sum of ____ dollars (\$____) shall be available for deposit into the California Ocean Protection Trust Fund for grants

1 consistent with Section 35650. Priority shall be given to projects
2 that conserve, protect, and restore marine wildlife and healthy
3 ocean and coastal ecosystems with a focus on the state's system
4 of marine protected areas and sustainable fisheries.

5 (b) The sum of ____ dollars (\$____) shall be available to the
6 State Coastal Conservancy for the protection of beaches, bays,
7 wetlands, and coastal watershed resources, including the protection
8 of coastal agricultural resources pursuant to Section 31150 and
9 projects to complete the California Coastal Trail pursuant to
10 Section 31408.

11 (c) Twenty-five percent of the amount available pursuant to this
12 section shall be available to the San Francisco Bay Area
13 Conservancy Program (Chapter 4.5 (commencing with Section
14 31160) of Division 21).

15 80121. In implementing Section 80120, the administering entity
16 may give special consideration to the acquisition of lands that are
17 in deferred certification areas of county local coastal plans.

18
19 CHAPTER 10. CLIMATE PREPAREDNESS, HABITAT RESILIENCY,
20 RESOURCE ENHANCEMENT, AND INNOVATION
21

22 80130. The sum of four hundred million dollars (\$400,000,000)
23 shall be available, upon appropriation by the Legislature, as
24 competitive grants for projects that plan, develop, and implement
25 climate adaptation and resiliency projects. Eligible projects shall
26 improve a community's ability to adapt to the unavoidable impacts
27 of climate change, improve and protect coastal and rural economies,
28 agricultural viability, wildlife corridors, or habitat, develop future
29 recreational opportunities, or enhance drought tolerance, landscape
30 resilience, and water retention. An eligible project shall do at least
31 one of the following:

32 (a) Acquire, develop, rehabilitate, restore, protect, and expand
33 wildlife corridors and open space, including projects to improve
34 connectivity and reduce barriers between habitat areas.

35 (b) Acquire, develop, rehabilitate, restore, protect, and expand
36 habitat that promotes the recovery of threatened and endangered
37 species.

38 (c) Improve climate adaptation and resilience of natural systems.

1 (d) Protect and improve existing open-space corridors and trail
2 linkages related to utility or transportation infrastructure that
3 provide habitat connectivity and public access or trails.

4 (e) Protect and restore rivers, streams, wetlands, and meadows
5 in support of fisheries and wildlife, including, but not limited to,
6 reconnecting rivers with their flood plains, and riparian and
7 side-channel habitat restoration, and restore and protect upper
8 watershed forests and meadow systems that are important for fish
9 and wildlife resources and that are consistent with the purposes of
10 subdivision (f) of Section 79738 of the Water Code. Priority shall
11 be given to projects supported by a multistakeholder partnership
12 using a science-based approach with measurable objectives to
13 guide identification, design, and implementation of regional actions
14 to benefit salmon and steelhead.

15 (f) Acquire, develop, rehabilitate, restore, protect, and expand
16 habitat that furthers the implementation of natural community
17 conservation plans adopted pursuant to the Natural Community
18 Conservation Planning Act (Chapter 10 (commencing with Section
19 2800) of Division 3 of the Fish and Game Code), and help resolve
20 resource conflicts by balancing communitywide conservation,
21 planning, and economic activities. A party that receives funding
22 pursuant to this subdivision shall not use those moneys to offset
23 mitigation obligations otherwise required.

24 (g) Operate wildlife rehabilitation facilities by a
25 nongovernmental entity.

26 (h) Acquire, develop, rehabilitate, restore, protect, and expand
27 wildlife corridors and open space to improve connectivity and
28 reduce barriers between habitat areas and protect and restore habitat
29 associated with the Pacific Flyway.

30 (i) Assist coastal communities, including those reliant on
31 commercial fisheries, with adaptation to climate change, including
32 projects that address ocean acidification, sea level rise, or the
33 protection of habitat associated with the Pacific Flyway with
34 dedicated funding for the California Waterfowl Habitat Program.

35 (j) Improve agricultural and open-space soil health and improve
36 carbon soil sequestration, erosion control, water quality, and water
37 retention, which may in part be allocated to the Department of
38 Conservation for watershed restoration and conservation projects
39 on agricultural lands pursuant to Section 9084.

(k) Reduce fire risk, defend the wildland urban interface, improve forest health, and provide feedstock for compost, energy, or alternative fuels facilities. Projects may include, but are not limited to, forest restoration projects that include hazardous fuel reduction, postfire watershed rehabilitation, acquisition of forest conservation easements or fee interests, and forest management practices that promote forest resilience to wildfire, climate change, and other disturbances. Geographic balance shall be achieved with the moneys allocated pursuant to this subdivision.

(l) Be a project of the California Conservation Corps, a certified community conservation corps, as defined in Section 14507.5, or other nonprofit entity that provides job training and education opportunities for veterans, foster care recipients, farmworkers, or local youth, to rehabilitate or improve parks and restore watersheds, including regional and community fuel load reduction projects on public lands, and stream and river restoration projects.

(m) Protect and preserve the working character of lands, including uninterrupted agricultural and rangeland practices, through conservation easements or other conservation actions pursuant to the California Farmland Conservancy Program.

(n) Be an urban forestry program in accordance with Section 4799.12.

(o) Be identified by local agencies, nonprofit organizations, nongovernmental land conservation organizations, federally recognized Native American tribes, or nonfederally recognized California Native American tribes listed on the California Tribal Consultation list maintained by the Native American Heritage Commission, to do one of the following:

(1) Restore, protect, and acquire Native American, natural, cultural, and historic resources within the state.

(2) Convert and repurpose properties or parts of properties formerly operating as fossil fuel powerplants on the effective date of this division to create permanently protected open space, tourism, and park opportunities through fee title or conservation easements.

(3) Create, rehabilitate, and expand urban gardens and community farms for carbon sequestration and increased food security.

(4) Enhance park, water, and natural resource values through improved recreation, tourism, and natural resource investments in

1 those areas of the state not within the jurisdiction of a state
2 conservancy.

3 (5) Enhance visitor experiences through development,
4 expansion, and improvement of science centers operated by
5 foundations or other nonprofit organizations in heavily urbanized
6 communities.

7 (6) Promote, develop, and improve any of the following:

8 (A) Community, civic, or athletic venues.

9 (B) Cultural or visitor centers that recognize the contributions
10 of California's ethnic communities or celebrate the unique
11 traditions of these communities, including those of Asian and
12 Hispanic descent.

13 (C) Visitor centers that educate the public about natural
14 landscapes, aquatic species, or wildlife migratory patterns.

15 (p) Construct, repair, modify, or remove transportation or water
16 resources infrastructure to improve wildlife or fish passage.

17 80131. In implementing Section 80130, special consideration
18 may be given to the acquisition of lands that are in deferred
19 certification areas of county local coastal plans.

20 80132. ____ dollars (\$____) shall be available to the Wildlife
21 Conservation Board.

22
23 CHAPTER 11. CLEAN DRINKING WATER AND DROUGHT
24 PREPAREDNESS
25

26 80140. The sum of one billion dollars (\$1,000,000,000) shall
27 be available, upon appropriation by the Legislature, as follows:

28 (a) Two hundred fifty million dollars (\$250,000,000) shall be
29 available, upon appropriation by the Legislature, for the purposes
30 described in Chapter 5 (commencing with Section 79720) of
31 Division 26.7 of the Water Code.

32 (b) Two hundred fifty million dollars (\$250,000,000) shall be
33 available upon appropriation, by the Legislature, for the purposes
34 described in Chapter 7 (commencing with Section 79740) of
35 Division 26.7 of the Water Code.

36 (c) Two hundred fifty million dollars (\$250,000,000) shall be
37 available, upon appropriation by the Legislature, for the purposes
38 described in Chapter 9 (commencing with Section 79765) of
39 Division 26.7 of the Water Code.

1 (d) Two hundred fifty million dollars (\$250,000,000) shall be
2 available, upon appropriation by the Legislature, for the purposes
3 described in Chapter 10 (commencing with Section 79770) of
4 Division 26.7 of the Water Code.

5
6 CHAPTER 11.5. FLOOD PROTECTION AND REPAIR
7

8 80145. (a) The sum of five hundred million dollars
9 (\$500,000,000) shall be available, upon appropriation by the
10 Legislature, for flood protection and repair as follows:

11 (1) Three hundred million dollars (\$300,000,000) shall be
12 available for flood protection facilities, levee improvements, and
13 related investments that protect persons and property from flood
14 damage. Moneys provided under this paragraph shall be matched
15 by local and regional flood protection agencies.

16 (2) One hundred million dollars (\$100,000,000) shall be
17 available for levee repairs and restoration within the
18 Sacramento-San Joaquin Delta.

19 (3) One hundred million dollars (\$100,000,000) shall be
20 available for the purposes of stormwater, mudslide, and other
21 flash-flood-related protections.

22 (b) Where feasible, first priority shall be given to investments
23 in projects that provide multiple benefits consisting of flood
24 protection, water quality, recreation, and habitat protection and
25 restoration and other fish and wildlife benefits.

26 (c) Funds provided by this chapter shall not be expended to pay
27 the costs of the design, construction, operation, mitigation, or
28 maintenance of Delta conveyance facilities. Those costs shall be
29 the responsibility of the water agencies that benefit from the design,
30 construction, operation, mitigation, or maintenance of those
31 facilities.

32
33 CHAPTER 12. ADVANCE PAYMENT FOR WATER PROJECTS
34

35 80150. (a) Within 90 days of notice that a grant under this
36 division for projects included and implemented in an integrated
37 regional water management plan has been awarded, the regional
38 water management group shall provide the administering agency
39 with a list of projects to be funded with the grant funds where the
40 project proponent is a nonprofit organization or a disadvantaged

1 community, or the project benefits a disadvantaged community.
2 The list shall specify how the projects are consistent with the
3 adopted integrated regional water management plan and shall
4 include all of the following information:

5 (1) Descriptive information concerning each project identified.

6 (2) The names of the entities that will receive the funding for
7 each project, including, but not limited to, an identification as to
8 whether the project proponent or proponents are nonprofit
9 organizations or a disadvantaged community.

10 (3) The budget of each project.

11 (4) The anticipated schedule for each project.

12 (b) Within 60 days of receiving the project information pursuant
13 to subdivision (a), the administering agency shall provide advance
14 payment of 50 percent of the grant award for those projects that
15 satisfy both of the following criteria:

16 (1) The project proponent is a nonprofit organization or a
17 disadvantaged community, or the project benefits a disadvantaged
18 community.

19 (2) The grant award for the project is less than one million
20 dollars (\$1,000,000).

21 (c) Funds advanced pursuant to subdivision (b) shall comply
22 with the following requirements:

23 (1) The recipient shall place the funds in a noninterest-bearing
24 account until expended.

25 (2) The funds shall be spent within six months of the date of
26 receipt, unless the administering agency waives this requirement.

27 (3) The recipient shall, on a quarterly basis, provide an
28 accountability report to the administering agency regarding the
29 expenditure and use of any advance grant funds that provides, at
30 a minimum, the following information:

31 (A) An itemization as to how advance payment funds provided
32 under this section have been expended.

33 (B) A project itemization as to how any remaining advance
34 payment funds provided under this section will be expended over
35 the period specified in paragraph (2).

36 (C) A description of whether the funds are placed in a
37 noninterest-bearing account, and if so, the date that occurred and
38 the dates of withdrawals of funds from that account, if applicable.

39 (4) If funds are not expended, the unused portion of the grant
40 shall be returned to the administering agency within 60 days after

1 project completion or the end of the grant performance period,
2 whichever is earlier.

3 (5) The administering agency may adopt additional requirements
4 for the recipient regarding the use of the advance payment to ensure
5 that the funds are used properly.

6
7 CHAPTER 13. FISCAL PROVISIONS
8

9 80160. (a) Bonds in the total amount of three billion dollars
10 (\$3,000,000,000), not including the amount of any refunding bonds
11 issued in accordance with Section 80172, may be issued and sold
12 to provide a fund to be used for carrying out the purposes expressed
13 in this division and to reimburse the General Obligation Bond
14 Expense Revolving Fund pursuant to Section 16724.5 of the
15 Government Code. The bonds, when sold, *issued, and delivered*,
16 shall be and constitute a valid and binding obligation of the State
17 of California, and the full faith and credit of the State of California
18 is hereby pledged for the punctual payment of both the principal
19 of, and interest on, the bonds as the principal and interest become
20 due and payable.

21 (b) The Treasurer shall sell the bonds authorized by the
22 committee pursuant to this section. The bonds shall be sold upon
23 the terms and conditions specified in a resolution to be adopted
24 by the committee pursuant to Section 16731 of the Government
25 Code.

26 80161. The bonds authorized by this division shall be prepared,
27 executed, issued, sold, paid, and redeemed as provided in the State
28 General Obligation Bond Law (Chapter 4 (commencing with
29 Section 16720) of Part 3 of Division 4 of Title 2 of the Government
30 Code), and all of the provisions of that law apply to the bonds and
31 to this ~~division~~. *division, except subdivisions (a) and (b) of Section*
32 *16727 of the Government Code.*

33 80162. (a) Solely for the purpose of authorizing the issuance
34 and sale, pursuant to the State General Obligation Bond Law
35 (Chapter 4 (commencing with Section 16720) of Part 3 of Division
36 4 of Title 2 of the Government Code), of the bonds authorized by
37 this division, the California Drought, Water, Parks, Climate,
38 Coastal Protection, and Outdoor Access For All Finance Committee
39 is hereby created. For purposes of this division, the California
40 Drought, Water, Parks, Climate, Coastal Protection, and Outdoor

1 Access For All Finance Committee is the “committee” as that term
2 is used in the State General Obligation Bond Law.

3 (b) The committee consists of the Director of Finance, the
4 Treasurer, and the Controller. Notwithstanding any other law, any
5 member may designate a representative to act as that member in
6 his or her place for all purposes, as though the member were
7 personally present.

8 (c) The Treasurer shall serve as the chairperson of the
9 committee.

10 (d) A majority of the committee may act for the committee.

11 80163. The committee shall determine whether or not it is
12 necessary or desirable to issue bonds authorized by this division
13 in order to carry out the actions specified in this division and, if
14 so, the amount of bonds to be issued and sold. Successive issues
15 of bonds may be authorized and sold to carry out those actions
16 progressively, and it is not necessary that all of the bonds
17 authorized to be issued be sold at any one time.

18 80164. For purposes of the State General Obligation Bond
19 Law, “board,” as defined in Section 16722 of the Government
20 Code, means the Secretary of the Natural Resources Agency.

21 80165. There shall be collected each year and in the same
22 manner and at the same time as other state revenue is collected,
23 in addition to the ordinary revenues of the state, a sum in an amount
24 required to pay the principal of, and interest on, the bonds each
25 year. It is the duty of all officers charged by law with any duty in
26 regard to the collection of the revenue to do and perform each and
27 every act that is necessary to collect that additional sum.

28 80166. Notwithstanding Section 13340 of the Government
29 Code, there is hereby appropriated from the General Fund in the
30 State Treasury, for the purposes of this division, an amount that
31 will equal the total of the following:

32 (a) The sum annually necessary to pay the principal of, and
33 interest on, bonds issued and sold pursuant to this division, as the
34 principal and interest become due and payable.

35 (b) The sum that is necessary to carry out the provisions of
36 Section 80169, appropriated without regard to fiscal years.

37 80167. The board may request the Pooled Money Investment
38 Board to make a loan from the Pooled Money Investment Account
39 in accordance with Section 16312 of the Government Code for the
40 purpose of carrying out this division less any amount withdrawn

1 pursuant to Section 80169. The amount of the request shall not
2 exceed the amount of the unsold bonds that the committee has, by
3 resolution, authorized to be sold for the purpose of carrying out
4 ~~this division~~ *division, excluding refunding bonds authorized*
5 *pursuant to Section 80172, less any amount withdrawn pursuant*
6 *to this section and Section 80169.* The board shall execute those
7 documents required by the Pooled Money Investment Board to
8 obtain and repay the loan. Any amounts loaned shall be deposited
9 in the fund to be allocated in accordance with this division.

10 80168. Notwithstanding any other provision of this division,
11 or of the State General Obligation Bond Law, if the Treasurer sells
12 bonds that include a bond counsel opinion to the effect that the
13 interest on the bonds is excluded from gross income for federal
14 tax purposes under designated conditions or is otherwise entitled
15 to any federal tax advantage, the Treasurer may maintain separate
16 accounts for the bond proceeds invested and for the investment
17 earnings on those proceeds, and may use or direct the use of those
18 proceeds or earnings to pay any rebate, penalty, or other payment
19 required under federal law or take any other action with respect
20 to the investment and use of those bond proceeds, as may be
21 required or desirable under federal law in order to maintain the
22 tax-exempt status of those bonds and to obtain any other advantage
23 under federal law on behalf of the funds of this state.

24 80169. For the purposes of carrying out this division, the
25 Director of Finance may authorize the withdrawal from the General
26 Fund of an amount or amounts not to exceed the amount of the
27 unsold bonds that have been authorized by the committee to be
28 sold for the purpose of carrying out ~~this division~~ *division, excluding*
29 *refunding bonds authorized pursuant to Section 80172, less any*
30 *amount borrowed pursuant to Section 80167.* Any amounts
31 withdrawn shall be deposited in the ~~fund~~ *fund to be allocated in*
32 *accordance with this division.* Any moneys made available under
33 this section shall be returned to the General Fund, with interest at
34 the rate earned by the moneys in the Pooled Money Investment
35 Account, from proceeds received from the sale of bonds for the
36 purpose of carrying out this division.

37 80170. All moneys deposited in the fund that are derived from
38 premium and accrued interest on bonds sold pursuant to this
39 division shall be reserved in the fund and shall be available for
40 transfer to the General Fund as a credit to expenditures for bond

1 interest, except that amounts derived from premiums may be
2 reserved and used to pay the cost of bond issuance prior to any
3 transfer to the General Fund.

4 80171. Pursuant to Chapter 4 (commencing with Section
5 16720) of Part 3 of Division 4 of Title 2 of the Government Code,
6 the cost of bond issuance shall be paid *or reimbursed* out of the
7 bond proceeds, including premiums, if any. To the extent the cost
8 of bond issuance is not paid from premiums received from the sale
9 of bonds, these costs shall be ~~shared proportionately by~~ *allocated*
10 *proportionally to* each program funded through this division by
11 the applicable bond sale.

12 80172. The bonds issued and sold pursuant to this division
13 may be refunded in accordance with Article 6 (commencing with
14 Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of
15 the Government Code, which is a part of the State General
16 Obligation Bond Law. Approval by the voters of the state for the
17 issuance of the bonds under this division shall include approval
18 of the issuance of any bonds issued to refund any bonds originally
19 issued under this division or any previously issued refunding bonds.
20 *Any bond refunded with the proceeds of a refunding bond as*
21 *authorized by this section may be legally defeased to the extent*
22 *permitted by law in the manner and to the extent set forth in the*
23 *resolution, as amended from time to time, authorizing that refunded*
24 *bond.*

25 80173. The proceeds from the sale of bonds authorized by this
26 division are not “proceeds of taxes” as that term is used in Article
27 XIII B of the California Constitution, the disbursement of these
28 proceeds is not subject to the limitations imposed by that article.

29 SEC. 2. Section 1 of this act shall take effect upon the approval
30 by the voters of the California Drought, Water, Parks, Climate,
31 Coastal Protection, and Outdoor Access For All Act of 2018, as
32 set forth in Section 1 of this act.

33 SEC. 3. Section 1 of this act shall be submitted to the voters
34 at the June 5, 2018, statewide primary direct election in accordance
35 with provisions of the Government Code and the Elections Code
36 governing the submission of a statewide measure to the voters.

37 SEC. 4. This act is an urgency statute necessary for the
38 immediate preservation of the public peace, health, or safety within
39 the meaning of Article IV of the Constitution and shall go into
40 immediate effect. The facts constituting the necessity are:

- 1 In order to fund a California drought, water, parks, climate,
- 2 coastal protection, and outdoor access for all program at the earliest
- 3 possible date, it is necessary that this act take effect immediately.